

LAW OFFICE OF GREGORY JAVARDIAN, LLC  
BY: MARY F. KENNEDY, ESQUIRE  
ID# 77149  
1310 Industrial Blvd.  
1<sup>st</sup> Floor, Suite 101  
Southampton, PA 18966  
(215) 942-9690  
Attorney for Citizens Bank, N.A. s/b/m to Citizens Bank of  
Pennsylvania

Hearing Date: **July 22, 2020, at  
11:00 am in Courtroom 3, United  
States Bankruptcy Court, 900  
Market Street, Philadelphia, PA  
19107**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

Natacha Rios

Debtor(s)

Chapter 13 Proceeding

19-14180 JKF

**MOTION OF CITIZENS BANK, N.A. S/B/M TO CITIZENS BANK OF  
PENNSYLVANIA FOR RELIEF OF FROM THE AUTOMATIC STAY**

AND NOW, comes secured Creditor, Citizens Bank, N.A. s/b/m to Citizens Bank of Pennsylvania (Movant) by and through its counsel, Mary F. Kennedy, and files this Motion to obtain an order for Relief from the Automatic Stay due to lack of equity in debtor(s) property and debtor(s) failure to provide Movant with adequate protection of its interest in the property which is the basis of the creditor's security.

1. On or about July 1, 2019, Debtor(s) filed a Chapter 13 Bankruptcy Petition.
2. On August 17, 2009, the debtor executed a Mortgage and Note to Movant a in the amount of \$84,000.00 and secured by the property located at 583 Alcott Street, Philadelphia, PA 19120, referred to as the "property." Said Mortgage was recorded on September 1, 2009 in the Philadelphia County Recorder of Deeds Office at instrument no. 52113002 (See Exhibit "A" attached).
3. The debtor is presently in arrears post-petition for five (5) months, February 21, 2020 to June 21, 2020. The total arrears including \$1,231.00 for attorney fees and costs is \$4,582.80.
4. Movant wishes to have the automatic stay terminated to permit Movant to complete foreclosure on its mortgage.

5. Pursuant to 11 U.S.C.A. section 362 (d) (1), cause exists to granted Movant relief from the stay.

WHEREFORE, Movant respectfully requests this Honorable Court ORDER:

That Relief from the Automatic Stay be granted to Citizens Bank, N.A. s/b/m to Citizens Bank of Pennsylvania to proceed with foreclosure action to obtain all other Relief available under Non-Bankruptcy Law. That the relief granted by the Court will survive the conversion of this bankruptcy case to a case under any other Chapter of the Bankruptcy Code. And that bankruptcy Rule 4001(a)(3) is not applicable and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non-Bankruptcy law. Furthermore, Movant respectfully requests that reasonable attorney fees and costs associated with this Motion be awarded to Movant

RESPECTFULLY SUBMITTED,

/s/ MARY F. KENNEDY, ESQ.

Dated: June 25, 2020